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| APPLICATION NO.                                      | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.          | CONFIRMATION NO. |
|--|-------------|----------------------|------------------------------|------------------|
| 10/608,026   | 06/30/2003  | Alan M. Zamore       | 2003-5                       | 7377             |
| 23401  | 7590        | 09/07/2007           |                              |                  |
| ALAN M ZAMORE<br>23 MOUNTAIN AVE<br>MONSEY, NY 10952 |             |                      | EXAMINER<br>SERGENT, RABON A |                  |
|  |             |                      | ART UNIT                     | PAPER NUMBER     |
|  |             |                      | 1711                         |                  |
|  |             |                      | MAIL DATE                    | DELIVERY MODE    |
|  |             |                      | 09/07/2007                   | PAPER            |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10608026                        | 6/30/2003   | ZAMORE, ALAN M.                                   | 2003-5              |

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MONSEY, NY 10952

**EXAMINER**

Rabon Sergent

| ART UNIT | PAPER |
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1711

20070904

**DATE MAILED:**


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**Commissioner for Patents**

The reply filed on June 15, 2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): In response to the prior art rejection of claim 34, applicant has stated that claim 34 has been modified to species of PEBA polymers containing Nylon 12; however, the claim has not been amended as argued. Applicant's argued Nylon 12 amendment pertains to the copoly(ether-ester-amide) copolymer as opposed to (a) the polyamide/polyether block (PEBA) copolymer, and applicant has not clearly established that the copoly(ether-ester-amide) copolymer is fully equivalent the polyamide/polyether block (PEBA) copolymer. Accordingly, applicant's response fails to adequately respond to the prior art rejection. Furthermore, it is noted that applicant's amendment to claim 34 raises issues of lack of antecedence, since "copoly(ether-ester-amide) copolymer" has not been previously referred to in the claim. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication should be directed to R. Sergent at telephone number (571) 272-1079.

R. Sergent  
September 4, 2007

  
Rabon Sergent  
Primary Examiner  
Art Unit: 1711